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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CBS BROADCASTING INC.,

Plaintiff,

v.

BUREAU OF ALCOHOL, TOBACCO,
FIREARMS AND EXPLOSIVES,

Defendant.

No. 24 Civ. 9070 (VM)

**STIPULATION AND ORDER OF
SETTLEMENT AND DISMISSAL**

WHEREAS, Plaintiff CBS Broadcasting Inc. (“Plaintiff”) filed the above-captioned suit pursuant to the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552, seeking the release of certain records by Defendant Bureau of Alcohol, Tobacco, Firearms, and Explosives (“Defendant”);

WHEREAS, Defendant released certain records to Plaintiff in response to the FOIA requests at issue in this lawsuit, subject to certain applicable exemptions; and

WHEREAS, the parties have agreed to resolve Plaintiff’s claim for litigation costs pursuant to 5 U.S.C. § 552(a)(4)(E) under the terms and subject to the conditions set forth in this Stipulation and Order;

IT IS HEREBY STIPULATED, AGREED, and ORDERED as follows:

1. The documents produced by Defendant in this action fully resolve the present claims by Plaintiff against Defendant or the United States of America (the “United States”), or any department, agency, officer, or employee of Defendant and/or the United States, arising out

of the FOIA requests at issue in this action: ATF request numbers 2024-01397, 2025-50028, and 2025-50030.

2. After the Court has approved and docketed this Stipulation and Order, Defendant shall pay to Plaintiff the sum of four hundred and forty-five dollars and eighty-five cents (\$445.85) for litigation costs (the "Settlement Amount"). This payment shall constitute full and final satisfaction of any and all claims by Plaintiff for attorneys' fees, expenses, costs, interest, and any other sums related to this litigation. Payment shall be made by electronic funds transfer, and counsel for Plaintiff will provide the necessary information for the Government to effectuate the transfer.

3. Conditioned upon Defendant's compliance with this Settlement Agreement, Plaintiff hereby fully and forever releases and discharges Defendant, the United States, and their present or former officers, employees, successors, and agents, in their official and individual capacities, from any and all rights or claims arising from the allegations in the Complaint filed in this action.

4. This action is hereby dismissed with prejudice, and without costs or fees other than as provided in paragraph 2 of this Stipulation and Order, provided that the Court shall retain jurisdiction for the purpose of enforcing this Stipulation and Order.

5. This Stipulation and Order shall not constitute an admission of liability or fault on the part of Defendant or the United States or their agents, servants, or employees, and is entered into by both parties for the sole purpose of compromising disputed claims and avoiding the expenses and risks of further litigation.

6. The parties agree that this Stipulation and Order is non-precedential with respect to any other proceeding involving the parties, including the United States or any agency or

instrumentality of the United States.

7. Nothing in this Stipulation and Order affects, or shall be construed to affect, the rights of Plaintiff to pursue further release of information or documents through future FOIA requests.

8. The parties understand and agree that this Stipulation and Order contains the entire agreement between them, and that no statements, representations, promises, agreements, or negotiations, oral or otherwise, between the parties or their counsel that are not included herein shall be of any force or effect.

Dated: July 24, 2025
New York, New York

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Counsel for Plaintiff


Dated: July 24, 2025
New York, New York

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Counsel for Defendant

SO ORDERED.

Dated: July 29 2025
New York, New York


HON. VICTOR MARRERO
United States District Judge